



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KATO=18

In re Application of:)	Art Unit: 1642
)	
KATO et al.)	Examiner:
)	
I.A. No. PCT/JP00/01533)	Confirmation No. 8012
I.A. filed: March 14, 2000)	
)	Washington, D.C.
Appln. No.: 09/937,375 ✓)	
Filed: September 24, 2001)	January 2, 2002
)	
For: GENE THERAPEUTICS)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above- identified application, and any other application relying on the filing date of the above-identified application or cross- referencing it as a related application.

1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed before the mailing date of a first office action on the merits.

2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., Form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

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☒ Document(s) AG and AI is (are) deemed substantially cumulative to document(s) AF and AG, and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed.

3. Document(s) AG, AH, AJ, AL and AM is (are) not in the English language. In accordance with §1.98(c), Applicant(s) states:

☒ An English translation of each document AG, AH, AJ, AL and AM (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:

(insert concise explanation of relevance)

☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

☐ A concise explanation of document(s) _____ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

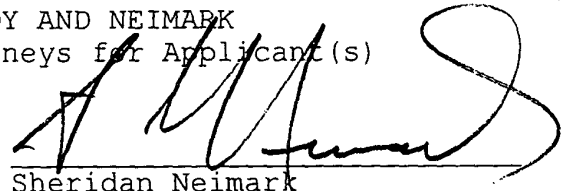
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5. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number 09/937,375
 Filing Date September 24, 2001
 First Named Inventor KATO et al.
 Confirmation No. 8012
 Group Art Unit 1642
 Attorney Docket Number KATO=18

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	5,686,278		WILLIAMS et al.	11-11-1997	
	AB	5,830,880		SEDLACEK et al.	11-03-1998	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number	Kind Code ⁵ (if known)				
	AC	EP	0 870 839	A1	TAKARA SHUZO CO. LTD.	10-14-1998		
	AD	EP	1 094 114	A1	TAKARA SHUZO CO. LTD.	04-25-2001		
	AE	WO	95/31566		VIAGENE, INCORPORATED	11-23-1995		
	AF	CA	2,198,474		HOECHST AKTIENGESELLSCHAFT	03-07-1996		
	AG	WO	96/06939		BEHRINGWERKE AG	03-07-1996		X
	AH	AU	199536575	B2	NEUROTECH SA	05-02-1996		
	AI	WO	96/11278		ASSOCIATION POUR LE DEVELOPPEMENT...	04-18-1996		X
	AJ	WO	97/31656		DNAVEC RES INC	09-04-1997		ABS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AK	Helmut HANENBERG et al., "Colocalization of Retrovirus and Target Cells on Specific Fibronectin Fragments Increases Genetic Transduction of Mammalian Cells", <u>Nature Medicine</u> , 1996, pp. 876-882, vol. 2, no. 8	
	AL	Makoto MIGITA et al., "Studies on the Optimum Conditions for Introduction of Genes into Hematopoietic Stem Cells by Means of a Retrovirus Vector - Comparison of Bone Marrow Stromal Cells and a Fibronectin Fragment (CH-296)", Report of Research Funded by Ministry of Health and Welfare Neurological and Psychiatric Disease Research Grants, 1997 (2 nd year/1 st year) (edited by the National Center of Neurology and Psychiatry), 1998, p. 401 (in Japanese)	X
	AM	(Kunoshin KATO, "Highly-efficient gene transfer into hematopoietic Stem Cells on Recombinant Fibronectin Fragments", <u>Gene & Medicine</u> , 1999, pp. 114-119, vol. 3, no. 2	X

Examiner Signature	Date Considered
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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